

Appln. No.: 09/977,826
Amendment Dated June 22, 2006
Reply to Office Action of December 27, 2005

BSI-010US4



Appl. No.: 09/977,826
Applicant: George Goicoechea
Filed: October 15, 2001
Title: Endoluminal Stent
TC/A.U.: 3738
Examiner: William H. Matthews
Confirmation No.: 4645
Docket No.: BSI-010US4

REQUEST FOR RECONSIDERATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Remarks/Arguments:

The pending claims are 20, 22-25, 27-33, 39, 41, 43-49, and 54-57. (The Office Action Summary does not identify claims 54-57 as pending; but the Detailed Action does refer to them.)

Applicants note with appreciation the Examiner's continued indication that claims 27-30 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As an introductory comment, this Request for Reconsideration invites the Examiner's reconsideration of the rejections in the Office Action in light of case law that was decided since the issuance of the Office Action. As discussed in detail below, the U.S. Court of Appeals for the Federal Circuit held (in an appeal from the Board) that dictionary definitions must give way to the meaning imparted by the specification. We also invite the Examiner's consideration of other new arguments.